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UNITED STATES PATENT AND TRADEMARK OFFICE

SEP 26 2003

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT A. CORDERY, DAVID K. LEE, LEON A. PINTSOV
and MONROE A. WEIANT, JR.

Application 09/650,177

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on September 5, 2003. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed August 29, 2000 (Paper No. 2). It is not apparent from the record that the examiner considered the statement submitted nor notified applicants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98. Further, there was listed on

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the file wrapper an IDS being filed on October 24, 2002 (Paper No. 6). This IDS appears to be missing from the application.

Accordingly, it is

ORDERED that the application is returned to the Examiner for such consideration of the Information Disclosure Statements and for such further action as may be appropriate.

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